

Notice of Allowability

Application No.

10/021,062

Applicant(s)

WHITEHILL, ERIC A.

Examiner

Inder P. Mehra

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment dated 8/22/06.
2. ☒ The allowed claim(s) is/are 5-7, 12-13, and 19-30 (Renumbered as 1-17 respectively).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 6/11/02
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


JOHN PEZZLO
PRIMARY EXAMINER

DETAILED ACTION

1. This office action is in response to amendment dated: 8/22/06. Based on this amendment, Out of pending claims 1-18, claims 1-4, 8-11, and 14-18 are cancelled. Claims 19-30 have been added. Now, claims 5-7, 12-13 and 19-30 are pending.

Allowable Subject Matter

2. Claims 5-7, 12-13 and 19-30 are allowed.

REASONS FOR ALLOWANCE

3. The following is an examiner's statement of reasons for allowance:

The prior art of record does not disclose, teach or suggest directly, or indirectly the following limitations in combinations with other limitations of the claims:

As recited by claim 5,

“a controller for using said spreading algorithm along with information pertaining to an address of another one of said nodes and at least one other factor to select a spreading sequence from said plurality of stored spreading codes, and for applying a said spreading sequence to said communications signal to spread said communications signal, and

a controller for using said spreading algorithm along with information pertaining to said address of another one of said nodes and said at least one other factor to identify said spreading sequence from said plurality of stored spreading codes, and for

applying said spreading sequence to said communications signal to despread said communications signal”.

As recited by claim 12,

“within a transmitting node of said plurality of nodes, applying a spreading sequence to said communications signal to spread said communications signal, said spreading sequence being selected from said plurality of stored spreading sequences using said **spreading algorithm** based on information pertaining to an address of another one of said plurality of nodes to which said transmitting node is transmitting, and information pertaining to at least one other factor;

transmitting said spreaded communication signal to said another one of said plurality of nodes; and within said another one of said plurality of nodes:

receiving said spreaded communication signal,

identifying said spreading sequence from said plurality of stored spreading sequences using said **spreading algorithm** based on information pertaining to said address of said another one of said plurality of nodes and information pertaining to at least one other factor”;

As recited by claim 19,

“generating a spreading code based on the spreading algorithm functioning on a destination address of a second node and the one or more network elements,

spreading a transmission message destined for the second node with the spreading code”, and

“generating the spreading code using the spreading algorithm functioning with the destination node address and the one or more network elements, and

despreading the spreaded transmission message using the spreading code.”

As recited by claim 28

“selecting a spreading code from the plurality of stored spreading codes based on the spreading algorithm functioning on a destination address of a second node and the one or more network elements,

spreading a transmission message destined for the second node with the selected spreading code, and

transmitting the spreaded transmission message; and within the second node: detecting and storing the one or more network elements,

receiving the spreaded transmission message from the first node,

identifying the spreading code from the plurality of stored spreading codes using the spreading algorithm functioning with the destination node address and the one or more network elements, and

despreading the spreaded transmission message using the spreading code”.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Inder P. Mehra whose telephone number is 571-272-3170. The examiner can normally be reached on Monday through Friday from 8AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Inder Pal Mehra 10/31/06
Inder P Mehra
Examiner
Art Unit 2617

JOHN PEZZLO
JOHN PEZZLO
PRIMARY EXAMINER